

NOV 15 2013

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

ERIC J. DEPAOLA, #1145137

Plaintiff,

v.

TRACY RAY, *et al.*,

Defendants.

Civil Action No. 7:12CV00139

**DISMISSAL ORDER**

By: Samuel G. Wilson  
United States District Judge

This case was referred pursuant to 28 U.S.C. § 636(b)(1)(B) to the Honorable Pamela M. Sargent, United States Magistrate Judge. The Magistrate Judge has filed a report recommending that the court grant the defendants' Motion for Summary Judgment (Docket Item No. 42).

The parties have not filed objections to the report and recommendation and the court, upon review of pertinent portions of the record, is of the opinion that the report should be adopted. It is accordingly, **ORDERED** and **ADJUDGED** that the defendants' Motion for Summary Judgment is **GRANTED**, the Magistrate Judge's Report and Recommendation (Docket Item No. 47) is **ADOPTED**, and, with no remaining issues to decide, the case is **DISMISSED** and **STRICKEN** from the court's active docket.

The Clerk is directed to send copies of this order to all counsel of record and unrepresented parties.

ENTER: This November 15<sup>th</sup>, 2013.

  
UNITED STATES DISTRICT JUDGE